

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THOMAS M. CURTIS,

Plaintiff,

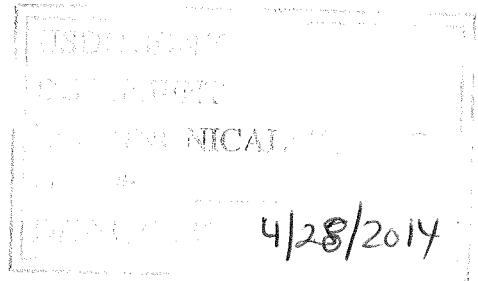
-v-

CENLAR FSB, d/b/a CENTRAL LOAN  
ADMINISTRATION & REPORTING; CENLAR  
AGENCY, INC., and FEDERAL HOME LOAN  
MORTGAGE CORPORATION.

Defendants.  
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13 Civ. 3007 (DLC)

ORDER



DENISE COTE, District Judge:

The Court has received letters dated April 14 and April 21, from plaintiff Thomas Curtis ("Curtis"), and letters of April 9, April 15, and April 21, from counsel for defendants Cenlar FSB, Cenlar Agency, Inc., and the Federal Home Loan mortgage Corporation, (collectively "defendants"). Fact discovery concluded in this case on April 11. Any expert report from the plaintiff is due May 16. Any summary judgment motion is due July 18.

This correspondence reflects the following, among other things. It does not appear that Curtis has served each of his letters to the Court on defense counsel. In his letter of April 14, Curtis abandons his claim that defendants were required to produce documents in connection with the deposition notices that Curtis served. The parties continue to dispute whether the

defendants could satisfy the plaintiff's two Rule 30(b)(6) notices for two entities by providing one witness for the deposition. Curtis also contends that that single witness was unable to answer certain questions; it is not clear whether the notices for the deposition identified those areas of inquiry for the witness. Finally, Curtis appears to contend that he is ready to renew his motion for a preliminary injunction, and requires no further discovery to do so.

Accordingly, it is hereby

ORDERED that Curtis must include an affidavit of service with every submission to the Court indicating that the document has been served as well on defense counsel. Failure to do so will result in the document being rejected for filing.

IT IS FURTHER ORDERED that, to the extent Curtis wishes to continue the Rule 30(b)(6) deposition because the tendered witness was unprepared to answer questions identified in the notice, Curtis shall by **May 9, 2014** list those questions which he wishes to have answered. By **May 16, 2014** the defendants shall give their consent to the continuation of the deposition or submit their opposition to the Court.

IT IS FURTHER ORDERED that Curtis' application to have more than one Rule 30(b)(6) deponent is denied.

IT IS FURTHER ORDERED that any motion for a preliminary injunction must be filed by **May 9, 2014**. It shall be supported

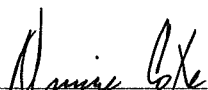
by an affidavit setting forth the testimony that Curtis or his witnesses offer as their direct testimony, and copies of all documents that Curtis intends to offer as exhibits in his case in chief. Curtis may also submit a memorandum of law in support of his motion.

IT IS FURTHER ORDERED that any opposition to the motion, including affidavits constituting the direct testimony of witnesses, documents that the defendants intend to offer as exhibits, and a memorandum of law, shall be filed by **May 23, 2014**.

IT IS FURTHER ORDERED that a preliminary injunction hearing will be held on **May 30, 2014 at 3:00 p.m.** in the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15B.

SO ORDERED:

Dated: New York, New York  
April 28, 2014

  
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DENISE COTE  
United States District Judge

COPY MAILED TO:

Thomas M. Curtis  
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New York, NY 10021